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December 9, 2011

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

**Re: Notification of Ex Parte Communication
PS Docket No. 06-229**

Dear Ms. Dortch:

On Friday, December 9, 2011, a permitted ex parte communication occurred in the above-referenced docket during a meeting held at the FCC.

Present during the meeting were Jamie Barnett, Jennifer Manner, Gene Fullano and Robert Pavlak of the FCC's Public Safety and Homeland Security Bureau (PSHSB). Also present were Secretary Darryl Ackley of the New Mexico Department of Information Technology (NM DoIT), Brian Moore, D.C. Office Director for the State of New Mexico Office of the Governor, and Albert Catalano and Matthew Plache of the law firm of Catalano & Plache, PLLC, counsel to NM DoIT.

Attached to this letter is a summary of the presentation made by New Mexico during the meeting.

Respectfully submitted,

/s/ Matthew J. Plache

New Mexico Department of Information Technology
Presentation to the FCC's Public Safety and Homeland Security Bureau
December 9, 2011

New Mexico DoIT 700 MHz Public Safety Broadband Deployment

- FCC granted NM DoIT a waiver to deploy a 700 MHz public safety LTE broadband network (FCC's May 12, 2010 Order)
- NM DoIT Entered a spectrum lease agreement with the PSST allowing NM DoIT to go forward with its planned public safety broadband deployment
- Received a \$38 million Round 2 BTOP award from NTIA that is funding 700 MHz public safety broadband deployment in Santa Fe and Albuquerque, as well as upgrading DoIT's statewide middle mile microwave transport network for use in backhauling 700 MHz public safety broadband
- Anticipates issuing a RFP for 700 MHz broadband deployment in early 2012

Need to Maximize Local Control While Ensuring National Interoperability

- NM DoIT is building the New Mexico portion of the national public safety broadband network
- Every state and waiver jurisdiction has unique operational needs and circumstances
- Equipment, applications, operational identifiers should be established under a national framework that allows local/State operators to meet unique needs of users while allowing for national interoperability among all public safety

Single PLMN ID

- Waiver recipients, PSST, PSCR and others support a single PLMN ID for public safety broadband network nationally
- New Mexico recognizes that efficiencies in roaming, interoperability, connectivity and operations can be achieved through a single PLMN ID and accordingly New Mexico does not oppose issuance of a single PLMN ID
- New Mexico also recognizes the needs of the four "Early Adopters" to have a PLMN ID reserved for public safety and accordingly can concur with that request
- The "Early Adopters" have not specified the party or entity that would hold the PLMN ID for public safety

Who Should Hold the Public Safety PLMN ID

- This is a Governance issue that must be decided prior to issuing a PLMN ID to an entity or operator
- No single waiver recipient or group of waiver recipients should hold the PLMN ID for public safety
 - From a federal/national perspective, it is better to have one entity with authority over all waiver recipients holding the PLMN ID and establishing uniform standards on behalf of all operators

- From a State/local perspective, need to ensure operability without being subject to arbitrary decisions by another operator
- It is best to have an entity with authority over all operators holding the PLMN ID, as opposed to another operator or group of operators under a scenario without contractual privity or formal framework for conflict resolution among the operators

Numbering Scheme

- The numbering scheme chosen for administering the identifiers on the network under a single PLMN ID should be developed in a consensus process based on the PSCT's recommendations with appropriate input by the PSST, waiver recipients and FCC
- New Mexico would support having OEC administer the numbering database for public safety
- Scheme should give deference and presumption in favor of State (local operator) requests for additional blocks of identifier numbers once initial allotments are used up
- New Mexico urges the FCC to consider the security ramifications of publishing the identifier numbering scheme

Interoperability

- The Early Adopters have requested that the FCC approve their contracting with a third party vendor to administer interoperability among waiver recipients and early deployers
- New Mexico is concerned that such a scheme implemented by the Early Adopters will limit choices by other waiver recipients and future deployers
- Choice of third party vendor by the early deployers may lock all others into contracting for services with the same vendor to enable interoperability
- Accordingly, New Mexico urges the FCC to proceed with caution on this aspect of the Early Adopters' request

Mexican Border

- As a border state, New Mexico has significant and heightened security concerns in areas along the Mexican border
- Accordingly, New Mexico urges resolution of treaty negotiations that may affect or hamper New Mexico's deployment of a public safety broadband network in areas along the Mexican border